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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

STATE OF OREGON,

Plaintiff,

v.

RAINA OTT,

Defendant,

LANE COUNTY, a political subdivision of
the State of Oregon,

Petitioner,

v.

RAINA OTT,

Respondent,

GREENHILL HUMANE SOCIETY, an
animal rescue agency,

Petitioner,

v.

RAINA OTT,

Respondent.

Case No. 24CR09698

ORDER FORFEITING SEIZED ANIMALS
PURSUANT TO ORS 167.347

This matter came before the Court on April 16, 2024, for a hearing on Plaintiff-
Petitioner’s Petition for Forfeiture of Seized Animals Pursuant to ORS 167.347. The Honorable
Debra Vogt presided. The Plaintiff-Petitioner was represented by Special Deputy District

1 Attorney Jacob Kamins; the Defendant-Respondent was represented by David Saydack. The
2 Defendant-Respondent was not present.

3 The petitioner moved to dismiss the petition as to animal 3 (a), “Jojo,” and the Court
4 granted that motion.

5 The remaining animals the Plaintiff-Petitioner sought forfeited—hereinafter referred to as
6 “the animals” are described as:

- 7 1. A Heeler-type dog named “Josie,”
- 8 2. A Heeler-type dog named “Ukiah,”
- 9 3. An Akita-type dog named “Sonoma,”
- 10 4. An Akita-type dog named “Regan,”
- 11 5. An Atika-type dog named “Cheyenne,”
- 12 6. An Akita-type dog named “Juice,”
- 13 7. An Akita-type dog named “Rogue,” and
- 14 8. Nine puppies born to Rogue on March 29, 2024.

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17 The Court, having reviewed the petition, examined the evidence, and heard the testimony
18 of witnesses and the arguments of counsel, makes the following findings:

- 19 A. The Respondent and all potential claimants were given proper notice of this hearing
20 by publication.
- 21 B. The animals were lawfully impounded by a peace officer pursuant to ORS 167.345
22 and are being held by Greenhill Humane Society, an animal care agency pending
23 outcome of criminal action charging violations of ORS 167.325.
- 24 C. There is probable cause to believe that the animals were subjected to a violation of
25 ORS 167.325.
26

1 D. Greenhill Humane Society has incurred costs in caring for the animals, and those
2 costs are expected to be ongoing to the date of trial.

3 E. The defendant is currently in warrant status. The Court finds that an appropriate “date
4 of trial” is July 12, 2024.

5 F. The reasonable costs incurred, and expected to be incurred, in caring for each animal
6 from the date of the seizure through the date of trial is as follows:

- 7 1. Josie: \$2,370
- 8 2. Ukiah: \$2,370
- 9 3. Sonoma (deceased 3/1/24): \$185
- 10 4. Regan: \$2,370
- 11 5. Cheyenne: \$2,370
- 12 6. Juice: \$2,370
- 13 7. Rogue: \$2,370
- 14 8. Puppy 1 (born 3/29/24, deceased 4/5/24): \$140
- 15 9. Puppy 2 (born 3/29/24, deceased 4/11/24): \$230
- 16 10. Puppies 3 through 9: \$1,715 each

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19 IT IS HEREBY ORDERED that the petition as to “Jojo” is dismissed.

20 IT IS FURTHER ORDERED that all right, title, and interest in the animals, shall be and is
21 FORFEITED by Defendant-Respondent, and lawful ownership in the animals is now hereby
22 vested in Greenhill Humane Society, pursuant to ORS 167.347 (3).

23
24 This order is effective as of noon on April 19, 2024, unless, prior to said date and time,
25 the Defendant-Respondent or any other claimant posts with the clerk of this court a full cash
26 security bond in the amounts listed above, to repay all reasonable costs incurred, and anticipated

1 to be incurred, by the Plaintiff-Petitioner in caring for the animals from the date of initial
2 impoundment to the date of trial. If Defendant-Respondent or any other claimant posts a security
3 bond specified above, the forfeiture and transfer of ownership in that specific animal as ordered
4 herein is stayed pending the outcome of the underlying criminal matter.

5 If any security bond is paid, Greenhill Humane Society is entitled to withdraw funds from
6 the security bond in order to repay the costs—both incurred and anticipated—related to its care
7 of the specific animal.
8

9 If a bond is posted, and the trial in the underlying criminal action is not commenced on
10 July 12, 2024, the court shall require the Defendant-Respondent or any other claimant to post an
11 additional security deposit or bond in an amount determined by the court that shall be sufficient
12 to repay all additional reasonable costs anticipated to be incurred by the Plaintiff-Petitioner in
13 caring for the animals until the anticipated date of trial.
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16 Dated this April 16, 2024,

17
18 4/17/2024 1:44:25 PM

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20 
21 **Debra K. Vogt, Circuit Court Judge**

22 Respectfully submitted by:
23 Jacob O Kamins, OSB 094017
24 Special Prosecutor for Lane County
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